

REMARKS/ARGUMENTS

This Amendment is responsive to an Office Action mailed on October 9, 2007. Reconsideration and allowance of the application and presently pending claims 1, 11, 21, 23, 31, and 34-38 are respectfully requested.

Present Status of the Patent Application

Claims 1, 11, 21, 23, 31, and 34-38 remain pending in the present application. Claims 1, 3, 11, 13, 21-23, 31, 33, and 34 have been rejected. Claims 4-8, 10, 14-18, 20, 24-28, 30, and 32 have been withdrawn, due to a restriction requirement. Claims 2, 3, 9, 12, 13, 19, 22, 29, and 33 have been cancelled without prejudice. Claims 1, 11, 21, and 31 have been amended. Claims 35-38 have been added.

Claims 4-8, 10, 14-18, 20, 24-28, 30, and 32 were inadvertently cancelled in the Amendment dated February 5, 2007, when they should have been withdrawn as being drawn to a nonelected species as noted in paragraph 3 of the Office Action mailed on November 15, 2006. Therefore, claims 4-8, 10, 14-18, 20, 24-28, 30, and 32 are now listed as withdrawn.

Summary of the Invention

The claims of the present invention are drawn to a furniture construction that allows the user to readily view an electronic component mounted in a furniture housing or cabinet, and still be able to achieve convenient access to the component for re-cabling or making adjustments to the component. In the normal operating position of the component, the face of the component is directed angularly upwardly for easy viewing by the user, either seated at a distance from the component or standing nearby. A drawer containing the electronic component extends at a rearwardly inclined angle within the housing to easily view the front of the electronic component during use. To gain access to the component, the drawer can be easily moved upwardly until it pivots

under the force of gravity into a horizontal access position. The novel features that allow this include at least one roller mounted on the housing near an angled opening of the housing, a stop forming a part of the stationary top of the interior of the housing adjacent to the angled opening, and the drawer including upstanding walls with stop engageable wall top for engaging the stop to limit the movement of the drawer. Neither the Bancroft patent nor the Price patent discloses any of these features.

Response to Claim Rejections - 35 U.S.C. §112

Claims 3, 13, and 21-23 have been rejected under 35 U.S.C. 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claims the subject matter which applicant regards as the invention. Claims 3, 13, and 22 have been cancelled making the rejection of these claims moot. Claim 21 has been amended to clarify that the claim is drawn to the subcombination of a support assembly. Therefore, this rejection should be withdrawn.

Response to Claim Rejections - 35 U.S.C. §103

Claims 1, 3, 11, 13, 21-23, 31, and 34 have been rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over United States Patent No. 427,217 to Bancroft in view of United States Patent No. 5,199,773 to Price, Jr. et al. Applicant respectfully traverses this rejection.

Independent Claim1

Independent claim 1, as amended, is allowable for at least the reason that Bancroft and Price do not disclose, teach, or suggest any of the following:

- 1) "a housing including a stationary housing top",
- 2) "the wall top forming a part of the drawer walls and serving as a stop engageable member",

- 3) "at least one inclined member extending along and parallel to the underside of the drawer and extending at the downwardly inclined angle for supporting the drawer in the normal operating position",
- 4) "a stop forming a part of the stationary housing top of the interior of the housing adjacent to the angled opening", and
- 5) "the walls of the drawer being suitably dimensioned to enable the wall top to engage the stop to limit the pivoting movement of the drawer to enable the drawer to assume the horizontal access position"

1) *"a housing including a stationary housing top"*

Bancroft discloses "a cover 5, which consists of the sections 5^a and 5^b, hinged to each other and hinged to the case at 6" at col. 1, lines 32-35. Similarly, Price discloses "[a] cover 92 ... [that] is pivotally mounted on the top panel portion 4 by pivot means 94." Both the cover of Bancroft and the cover of Price are movable tops, and **not** "stationary" tops. Furthermore, the movement of the cover of Bancroft and the cover of Price is a vital and indispensable feature of the typewriter cabinet and the work station, respectively.

2) *"the wall top forming a part of the drawer walls and serving as a stop engageable member"*

Bancroft merely discloses a movable platform 9 without any upstanding walls as shown in FIGS. 2 and 4, so there can be **no** "wall top". In fact, a projection 14 is provided to engage the upper side of platform 9 to prevent it from tilting over projection 13, and upstanding walls would interfere with this function. Price discloses "CRT monitor support means 60 ... [that] comprise ... a rectangularly shaped back wall

portion 64 and two triangularly shaped sidewall portions 66 and 68" at col. 3, lines 6-9. However, the wall top formed by the walls of Price is not a "stop engageable member".

- 3) *"at least one inclined member extending along and parallel to the underside of the drawer and extending at the downwardly inclined angle for supporting the drawer in the normal operating position"*

Bancroft does **not** disclose "at least one inclined member" for supporting the platform 9. Price merely discloses guide means 48 that does **not** extend "along and parallel to the underside of the" CRT monitor support means 60 of Price.

- 4) *"a stop forming a part of the stationary housing top of the interior of the housing adjacent to the angled opening"*

Bancroft discloses "a cover 5, which consists of the sections 5^a and 5^b, hinged to each other and hinged to the case at 6" at col. 1, lines 32-35. Similarly, Price discloses "[a] cover 92 ... [that] is pivotally mounted on the top panel portion 4 by pivot means 94." Both the cover of Bancroft and the cover of Price are movable tops, and could **not** function as "a stop". Furthermore, the movement of the cover of Bancroft and the cover of Price is a vital and indispensable feature of the typewriter cabinet and the work station, respectively.

- 5) *"the walls of the drawer being suitably dimensioned to enable the wall top to engage the stop to limit the pivoting movement of the drawer to enable the drawer to assume the horizontal access position"*

Once again, Bancroft merely discloses a movable platform 9 without any walls, **not** a drawer having upstanding walls. Price discloses support means 60, but the support means 60 does **not** include "suitably dimensioned" walls "to enable the wall top to engage the stop." In fact, the support means 60 does **not** come in contact with any part of the top of the Price work station.

Accordingly, the rejection is deficient in these areas. Notwithstanding, the undersigned has reviewed the entirety of the Bancroft and Price patents and has failed

to identify any such teachings anywhere within these references. Accordingly, the Bancroft and Price patents fail to teach or disclose the invention as defined by claim 1, and the rejection of claim 1 should be withdrawn.

Independent Claim 11

Independent claim 11 is allowable for at least the reasons described above regarding claim 1. Accordingly, the Bancroft and Price patents fail to teach or disclose the invention as defined by claim 11, and the rejection of claim 11 should be withdrawn.

Independent Claim 21

Independent claim 21 is allowable for at least the reasons described above regarding claim 1. Accordingly, the Bancroft and Price patents fail to teach or disclose the invention as defined by claim 21, and the rejection of claim 21 should be withdrawn.

Independent Claim 31

Independent claim 31 is allowable for at least the reasons described above regarding claim 1. Accordingly, the Bancroft and Price patents fail to teach or disclose the invention as defined by claim 31, and the rejection of claim 31 should be withdrawn.

Dependent Claims

Dependent claims 35, 36, 23 & 37, and 34 & 38 are believed to be allowable for at least the reason that these claims depend from allowable independent claims 1, 11, 21, and 31, respectively. *In re Fine*, 837 F.2d 1071, 5 U.S.P.Q.2d 1596, 1600 (Fed. Cir. 1988).

CONCLUSION

The other cited art of record has been reviewed, and it is believed that the claims, as amended, patentably distinguish thereover.

In light of the foregoing amendments and for at least the reasons set forth above, Applicant respectfully submits that all objections and rejections have been traversed, rendered moot, and/or accommodated, and that now pending claims 1, 11, 21, 23, 31, and 34 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned at 619-209-3063.

Please direct all correspondence to the undersigned attorney at the address indicated below.

Respectfully submitted,

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